

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)

v.)

Criminal No. 12-10226-DJC

**JOHN KOSTA, et al.)
Defendant)**

ORDER OF CONTINUANCE AND EXCLUDABLE DELAY

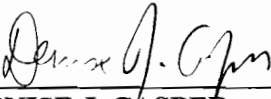
Casper, J.

Upon consideration of the parties' joint motion seeking a continuance and an order of excludable delay, the Court finds as follows:

1. At a status conference in this case on November 8, 2013, the parties asked the court to continue the status conference to December 12, 2013.
2. A continuance of this proceeding from the date of the status conference through and including December 12, 2013, is necessary to ensure that the government has sufficient time to exercise its options in light of the motions to suppress that were granted in this case, and that the parties have sufficient time to negotiate possible plea agreements. I find, given the specific circumstances in this case, that this continuance constitutes "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," 18 U.S.C. §3161(h)(7)(B)(iv) and Section 5(B)(7)(c)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts.
3. The ends of justice served by granting the requested continuance, and excluding the

time period from November 8, 2013 through and including December 12, 2013 from the speedy trial clock, outweigh the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and Section 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts.

Accordingly, the Court hereby grants the parties' joint motion and **ORDERS** that, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A) and 3161(h)(7)(B)(iv) and Sections 5(b)(7)(A), 5(b)(7)(B) and 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts, (1) the date on which the trial must commence is continued; and (2) the period from November 8, 2013 through and including December 12, 2013 is excluded from the speedy trial clock and from the time within which the trial of the offenses charged in the indictment must commence.

 11/18/2013

DENISE J. CASPER
United States District Judge